

May 24 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 09-0655

ORIGINAL

STATE OF MONTANA,

Plaintiff and Appellee,

v.

WAYNE PERCY LINDSEY ,

Defendant and Appellant.

FILED

MAY 24 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA**MOTION TO SUPPLEMENT THE RECORD AND
STAY BRIEFING SCHEDULE**

Pursuant to Mont. R. App. P. 8(6), Appellant moves to supplement the record in this cause by ordering the production of the following transcripts:

01/03/08	Omnibus hrg/bail hrg
02/07/08	Bail reduction hearing
07/17/08	Pretrial hrg/ Motion to Revoke Bail
07/24/08	Bail hrg
07/29/08	Hrg in chambers
08/05/08	Defense Motion to continue trial
11/13/08	Pre-trial conference
12/04/08	Hrg regarding Transfer hearing
12/11/08	Transfer hrg matter discussed
02/19/09	Pre-trial conference
03/19/09	Initial appearance on Motion to revoke bail

Counsel has contacted Glenda Travitz, the official court reporter who presided over the above-referenced hearings, and she will be out of the office until June 7, 2010. Counsel will contact Ms. Travitz upon her return and will file a status report stating how long she will need to provide the requested transcripts.

Consequently, Appellant also moves to stay the briefing schedule currently in place. Upon receiving the supplemental transcripts, Appellant requests to submit the opening brief on appeal within thirty (30) days.

Counsel for the Respondent has been contacted and has no objection to supplementing this record.

Respectfully submitted this 24th day of May, 2010.

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By: *Joselyn Hunt*
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Assistant Appellate Defender

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing

Motion to Supplement the Record to be mailed to:

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DATED: _____

May 24th 2010 Rachel Smith